

EXHIBIT 12

At IAS Part 52 of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse located at 360 Adams Street, Brooklyn, New York 11201 on the ~~11~~ day of August, 2023.

16th

PRESENT: Hon. Francois A. Rivera
Justice of the Supreme Court

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

1380 REALTY NY, LLC,

Plaintiff,

- against -

YECHESKEL KRAUT A/K/A YECHESKEL DOV KRAUT; SHIRA KRAUT; LEVI KRAUT; and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR FM HOME LOANS, LLC,

Defendants.

Index No. 505892/2023

ORDER TO SHOW CAUSE

Upon reading the Affidavit of Emergency, sworn to on August 11, 2023, and the Affirmation of Keith M. Brandofino, dated August 15, 2023, and the Affidavit of Harvey Abrahams, sworn to on August 8, 2023, in support of Plaintiff's Order to Show Cause for an Order vacating the Notice of Discontinuance with Prejudice (the "NOD") filed by defendant Yechezkel Kraut a/k/a Yechezkel Dov Kraut, ("Yechezkel"):

~~IT IS HEREBY ORDERED~~ ^{let} that defendant Yechezkel and his attorney Mr. Barry R. Feerst, Esq. appear and show cause before this Court, at IAS Part 52, at the Supreme Court of the State of New York for the County of Kings, located at 360 Adams Street, Brooklyn, New York 11201, on the 5th day of ^{October} 2023, at ^{10:00} 9:30 a.m., or as soon thereafter as counsel may be

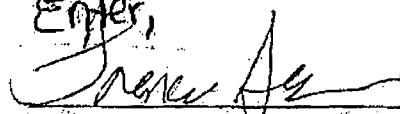
heard, why an Order should not be made and entered vacating the Notice of Voluntary Discontinuance with Prejudice (the "NOD"), striking the NOD from the record, removing Mr. Feerst's representation as counsel for Plaintiff on the New York State Court's Electronic Filing (NYSCEF), and granting such other and further relief as this Court deems just and proper; and

Let personal
~~IT IS FURTHER ORDERED~~ that service of a copy of this Order to Show Cause, together *and any other parties* with the papers upon which it is granted be served upon defendants, ~~by overnight mail shall be~~ *entitled to notice,* deemed good and sufficient service. Answering papers, if any, if any, shall be served upon *on or before* Plaintiff's counsel by overnight mail or email so as to be received no later than *September 20, 2023* ~~August 20, 2023~~, *be deemed good and sufficient service.* and it is further.

Proof of such service must be filed in NYSCEF prior to the return date.

~~ORDERED~~ that any reply papers shall be served upon the defendants in the same manner set forth above so as to be received by no later than August 20, 2023.

Enter,



HON. FRANCOIS A. RIVERA, J.S.C.